



## HOW A BILL BECOMES A LAW

*Serving the Iowa Legislature*

A legislative bill is a written proposal for a law. Ideas for bills come from many sources: a legislator, two or more legislators, a legislator's constituents, businesses, government agencies, professional associations, interest groups and other state legislatures. When a legislator recognizes or is made aware of a problem which could be pursued through legislation, that idea is put into the form of a bill.

Bills may be sponsored by a Senator or Representative, more than one Senator or Representative, or by a Senate or House committee. Bills may also be proposed by the Executive Branch, Governor's Office, and Judicial Branch for legislative sponsorship. When a bill is introduced by members of a legislative chamber, it must follow a process and, if passed, be sent to members in the other legislative chamber where this process is repeated.

All bills must be approved in identical form by both the Senate and the House before being sent to the Governor for final approval.

### **Bill Drafting**

The staff in the Legal Services Division of the Legislative Services Agency (LSA) provides legal and legislative research services necessary to draft a bill. This may include reviewing current Iowa Code provisions, locating relevant publications as well as reviewing other state and federal laws pertaining to the subject matter of the draft. After the information is drafted into bill form, the drafter sends the bill to the legislative sponsor(s) for approval, and then the bill is prepared for bill introduction and floor debate.

### **Introduction**

After the bill draft is completed by the Legislative Services Agency (LSA), it is returned to the sponsor for review and filed with the Secretary of the Senate or Chief Clerk of the House, who assigns the bill a number. The bill is reviewed by the Senate or House legal counsel's office, and most often on the following day, the bill's number, title, and sponsor's name are read to the Senate or House. The President of the Senate or Speaker of the House assigns the bill to a standing committee for review.

### **Standing Committee Work**

A standing committee is a group of legislators chosen by the leadership of each chamber to examine bills relating to a specific subject area. Once a bill is assigned to a committee, the committee chairperson appoints a subcommittee. The subcommittee, usually composed of three members of the standing committee, reviews the bill in detail and reports its conclusions to the full committee. The full committee then discusses the subcommittee's conclusions and makes recommendations to the entire chamber. The committee may recommend to pass the bill, to pass the bill with amendment (proposed change), to refer the bill to another committee for study, to postpone the bill indefinitely, or to send the bill to the floor for debate with no recommendation.

### **Calendar**

A report of the committee's recommendation is sent to the Secretary of the Senate or Chief Clerk of the House, who will place the bill on the regular calendar, which lists bills that are eligible to

be debated. The Majority Leader is responsible for deciding which bills on the calendar are debated and in what order.

### **Debate**

After the committee completes work on the bill, the subcommittee's chairperson usually becomes the bill's floor manager. The floor manager's job is to present the bill to the chamber and follow the bill's progress during debate, when members discuss and may propose amendments to the bill. Amendments are adopted by a simple majority of the Senators or Representatives voting.

A debate allows discussion, either or both pro or con, about the bill on the chamber floor. It also breaks down key issues within the bill.

When debate on a bill is finished, the bill's title is read aloud to the chamber for the last time. This tradition of reading the bill's number and title originates from the early days of the Legislature when bills were read in their entirety to the members since printed copies were not available for everyone. If a constitutional majority (at least 26 Senators and 51 Representatives) votes to pass the bill, it moves to the other chamber. If fewer legislators than a constitutional majority vote to pass the bill, the bill fails. Votes on bills and amendments may be reconsidered on a motion by a member who voted on the prevailing side of the issue. If the motion to reconsider is approved, a new vote is taken on the bill or amendment. If the bill is then approved by a constitutional majority vote and all motions to reconsider are cleared, it is delivered to the other chamber.

### **Second Passage**

Amendments adopted by the chamber of origin are incorporated in the bill before it is sent to the other chamber. As the bill follows its path through the Legislature, the procedure in both chambers is basically the same. A bill introduced in the Senate will retain its original Senate number as it travels through the House and a bill introduced in the House will retain its original House number as it travels through the Senate. If the bill is further amended by the other chamber, the amended bill is sent back to the chamber of origin for approval. The chamber of origin can also amend the amendment. If the chamber of origin concurs or agrees with the amendment(s), the bill has passed both chambers in identical form and will be sent to the Governor for review. If the chamber of origin refuses to concur with the other chamber's amendment(s), the bill is returned to the other chamber, which may recede from or insist upon their amended version of the bill. If they recede, the bill is sent to the Governor; however, if they insist upon their amendment(s), a conference committee is appointed to work out the differences.

### **Conference Committee**

Conference committees are composed of Senate and House members representing both the majority and minority parties and both sides of the issue in dispute. The 10 members of a conference committee are appointed by the Senate Majority Leader and the Speaker of the House to study the points of disagreement between the chambers in an attempt to reach a compromise. If an agreement is reached, it is presented to both chambers in a report that contains the compromise version of the bill. The report cannot be amended by either chamber. If the report is rejected by either chamber, a second conference committee may be appointed. If no agreement is reached, the bill fails. If the conference committee report is adopted, the chambers again vote on the bill. If the bill is approved it will be enrolled and sent to the Governor for review.

### **Enrolled Bill**

Final preparation of a bill before it is sent to the Governor is called enrollment. When both chambers have passed the bill in the same form, it is prepared with all approved amendments incorporated. After the bill is enrolled, the President of the Senate and the Speaker of the House

sign the enrolled version and the Secretary of the Senate or Chief Clerk of the House certifies that the bill originated in that chamber. The bill is then sent to the Governor for final action.

### **Governor's Action**

Bills passed by the Legislature must be reviewed by the Governor. The Governor takes final action on all bills passed by the Iowa General Assembly. The Governor has three options: sign the bill, veto the bill (or item veto an appropriations bill), or take no action. In the case of a veto, the Legislature may override the veto with two-thirds of the members of each chamber voting to reconsider and pass the bill a second time. If, during session, the Governor does not sign or veto a bill, it becomes law after three calendar days. Bills received by the Governor during the last three calendar days of session must be signed or vetoed within 30 calendar days.

The Governor has the option to use three types of vetoes: the veto, item veto, and pocket veto. The veto indicates the Governor's disapproval of an entire bill. The item veto may be used only for bills that appropriate funds. It strikes a specific item of an appropriations bill. A pocket veto occurs when the Governor fails to take action within 30 calendar days on a bill received within the last three calendar days of session. The entire bill fails to become law. When the Governor vetoes or item vetoes a bill, a veto message explaining why the veto was made is delivered to the chamber of origin with the bill before it is filed with the Secretary of State. The Governor's veto messages can be accessed on the Iowa General Assembly website in the "Enrolled Bills" section and on *Billbook*.

### **Iowa Law**

After the bill is signed by the Governor or is passed by the Legislature over the Governor's veto, it is sent to the Secretary of State who is the custodian of original copies of all bills enacted into law. Bills normally go into effect July 1 following their approval, unless another date is specified in the bill. Bills passed by the Legislature before July but signed by the Governor after July 1 become effective August 15.

The enacted bills are then printed in the Acts of the General Assembly, published after each legislative session. The portions of the enacted bills that are laws of a permanent nature are incorporated into the Iowa Code, a compilation of Iowa laws published every year in electronic format and every other year in print by the Legislative Services Agency.

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*Iowa General Assembly website: [www.legis.iowa.gov](http://www.legis.iowa.gov)*